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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/932,103

Applicant(s)

DEVARA ET AL.

Examiner

FARZANA E. HOSSAIN

Art Unit

2623

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/23/2008 has been entered.

Response to Amendment

2. This office action is in response to claims filed 06/23/2008. Claims 1, 3, 13, 15, 19-21 and 23 are amended. Claims 2, 4-7, 9-12, 14, 16-18 and 22 are original. Claims 8 and 24 have been previously presented.

Response to Arguments

3. Applicant's arguments filed 06/23/2008 have been fully considered but they are not persuasive.

Regarding Claims 1, 8, 15, 20, 23, the applicant argues that Zigmond does not disclose c) determining whether the detected tag information indicates

that said synchronized web simulcasts are being broadcast currently; and c)(1)(i) if yes establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information; c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer; c)(2)(i) if no establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information and c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval (Pages 12-13). Zigmond also discloses (d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval if the tag information indicates that the synchronized web simulcasts are not being broadcast currently and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer if the tag information indicates that the synchronized web simulcasts are being broadcasted currently (Page 13-14). The applicant argues that Zigmond does not distinguish when synchronized web simulcasts are broadcast and will store the information resource (Page 14).

In response to the applicant's argument, Zigmond disclose (c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently or determining based on the trigger if it is time for synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated

by the tag information as there is no locally stored and establishing a connection to download features (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67, Column 8, lines 1-15, 24-35); (c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67); (c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval; (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column 10, lines 33-57). Zigmond discloses a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval if the tag information indicates that the synchronized web simulcasts are not being broadcast currently and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer if the tag information indicates that the synchronized web simulcasts are being broadcasted currently or the information resource receives an announcement to store the retrieved enhanced features in the local storage and when it is time to display the trigger instructs the receiver unit to display the designated information (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column

Art Unit: 2623

7, lines 18-31, 55-67). The applicant is arguing that Zigmond does not meet the limitations because the features are misplaced. The elements are found in Zigmond and meet the limitations in the broadest reasonable interpretation.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-13, 15, 16, 18-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al (US 6,571,392 and hereafter referred to as "Zigmond") in view of Shoff et al (US 2005/0015815 and hereafter referred to as "Shoff").

Regarding Claims 1, 15 and 20, Zigmond discloses a method and system for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4), the method comprising the steps of and the system comprising:

(a) a detection means, coupled to receive incoming television programs viewed by a user, for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video program with uniform resource locators (URLs) which

Art Unit: 2623

identify Web pages which correspond to the program as receiver unit detects the resource identifiers as it receives the program via the interface unit and the decoding software of the digital processor (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) a communications means for establishing a communication channel to the source of the synchronized web simulcasts (Figure 2, 211);

(c) a control means retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval if the tag information indicates that the synchronized web simulcasts are not being broadcast currently and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer if the tag information indicates that the synchronized web simulcasts are being broadcasted currently or the information resource receives an announcement to store the retrieved enhanced features in the local storage and when it is time to display the trigger instructs the receiver unit to display the designated information (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond discloses a memory for storing computer

readable code or software (Column 5, lines 60-67, Column 6, lines 1-3) and a processor (Figure 4, 303) operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67), processing retrieved enhanced features (Column 10, lines 33-57). Zigmond is silent on processing the retrieved enhanced features without user intervention to generate feature descriptors formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list.

Shoff discloses retrieving a number of enhanced features from the sources of synchronized web simulcasts (Page 2, paragraph 0019), processing retrieved enhanced features without user intervention to generate feature descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4,

paragraphs 0042-0047) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience.

Regarding Claim 8, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Figure 2, 205,

Figure 3, Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67, Column 8, lines 1-15, 24-35)and,

(c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67, Column 8, lines 1-15, 24-35);

(c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval; (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column 10, lines 33-57). Zigmond is silent on formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list.

Shoff discloses retrieving a number of enhanced features from the sources of synchronized web simulcasts (Page 2, paragraph 0019), processing retrieved enhanced features without user intervention to generate feature

descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience.

Regarding Claim 23, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67); retrieving the supplemental information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67); marking the supplemental information for synchronized display with the audio-visual information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column 10, lines 33-57) and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer if the tag information indicates that the synchronized web simulcasts are being broadcasted currently and storing the retrieved enhanced features in a storage medium for subsequent retrieval if the tag information indicates that the synchronized web simulcasts are not being broadcast currently or the information resource receives an announcement to store the retrieved enhanced features in the local storage and when it is time to display the trigger instructs the receiver unit to display the designated information (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a

display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond is silent on formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list, the simultaneously presenting the audiovisual information synchronized together with at least part of the supplemental information, responsive to the choice.

Shoff discloses retrieving supplemental information (Page 2, paragraph 0019), processing retrieved supplemental information without user intervention to generate feature descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors for the supplemental information according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047), displaying the content list associated with the audio visual information (Figure 3); receiving a choice indication responsive to the content list (Figure 3) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information, response to the choice (Figure 6, Figure 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6,

paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047); displaying the content list associated with the audio visual information (Figure 3); receiving a choice indication responsive to the content list (Figure 3) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information, response to the choice (Figure 6, Figure 7) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience. See Rejection of Claims 1 and 8.

Regarding Claims 2 and 9, Zigmond and Shoff disclose all the limitations of Claims 1 and 8 respectively. Shoff discloses presenting the content list to a viewer (Figure 3).

Regarding Claims 3, 13, 19 and 21, Zigmond and Shoff disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Zigmond discloses the enhanced features include information selected from the group consisting of length, ending time and a combination thereof (Column 8, lines 30-34). Shoff discloses the content listing includes information selected from the group consisting of length, ending time and a combination thereof as a frame numbers count the supplemental content from the start time (Page 6, paragraph 0067, Page 4, paragraph 0053).

Regarding Claims 4 and 10, Zigmond and Shoff disclose all the limitations of Claims 1 and 8 respectively. Zigmond discloses selecting enhanced features tied to a TV program by a viewer (Column 7, lines 47-54). Shoff discloses selecting enhanced features via the feature descriptors tied to a TV program by a viewer (Figure 3, Figures 8a-8c).

Regarding Claims 5 and 11, Zigmond and Shoff disclose all the limitations of Claims 4 and 8 respectively. Zigmond discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 7, lines 47-54). Shoff discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Page 6, paragraph 0067, Figures 8a-8c).

Regarding Claim 7, Zigmond and Shoff disclose all the limitations of Claim 1. Zigmond discloses the source includes Internet (Figure 2). Shoff discloses the sources include television network, Internet, wired network or wireless technologies (Page 3, paragraphs 0032, 0037).

Regarding Claim 12, Zigmond and Shoff disclose all the limitations of Claim 8. Zigmond discloses displaying is performed interactively in response to the viewer's input (Column 7, lines 47-54). Shoff discloses displaying is performed interactively in response to the viewer's input (Figures 8a-8c, Figure 3).

Regarding Claims 16 and 18, Zigmond and Shoff disclose all the limitations of Claims 11 and 15 respectively. Shoff discloses creating the enhanced features in advance (Page 7, paragraphs 0080-83).

6. Claims 6, 14, 17, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond in view of Shoff as applied to Claims 1, 8, 11, 15, 20 and 23, further in view of Ullman et al (US 6,018,768 and hereafter referred to as "Ullman").

Regarding Claims 6, 14, 17 and 22, Zigmond and Shoff disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Zigmond and Shoff are silent on predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts. Ullman discloses the predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62) as taught by Ullman in order to personalize the system to the user's own interests,

Art Unit: 2623

demographics, history or behavior (Column 7, lines 12-29) as disclosed by Ullman.

Regarding Claim 24, Zigmond and Shoff disclose all the limitations of Claim 23. Zigmond and Shoff are silent on the audio-visual information and tags are received in the MPEG format. Ullman disclose the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3) as taught by Ullman in order to allow different broadcasters to transmit files via any transmission means for a more flexible transmission system (Column 4, lines 49-53) as disclosed by Ullman.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2623

FEH
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